

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON
AT SEATTLE

MARICIA A. KOIVISTO,)
Plaintiff,) CASE NO. C13-1254-JLR-MAT
v.)
CAROLYN W. COLVIN, Acting) REPORT AND RECOMMENDATION
Commissioner of Social Security,)
Defendant.)

Plaintiff brought this action to seek judicial review of the denial of an application for disability benefits by the Commissioner of the Social Security Administration. The parties now stipulate this case should be reversed and remanded for further proceedings. (Dkt. 28.)

Based on the stipulation of the parties, the Court recommends this case be REVERSED and REMANDED for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g). On remand, the Appeals Council shall instruct the Administrative Law Judge to update the record; further evaluate plaintiff's mental impairment(s) pursuant to the technique described in 20 C.F.R. §§ 404.1520a and 416.920a (2013); reassess the severity of plaintiff's

01 hip arthritis; reevaluate the opinion evidence, including the evidence from Ramoncita Maestas,
02 M.D., Carol Brenner, M.D., Kendra Koeplin, MSW, and James Robert Basinski, M.D.; reassess
03 plaintiff's mental and physical residual functional capacity; further evaluate whether plaintiff
04 can perform the physical and mental demands of her past relevant work as a customer service
05 representative (telephone or cashier); and, if necessary, proceed to step five of the sequential
06 evaluation process, hold a new hearing, and obtain vocational expert testimony. Also, upon
07 proper application, the Court will consider plaintiff's application for attorneys' fees under the
08 Equal Access to Justice Act, 24 U.S.C. § 2412, *et seq.*

09 The Court recommends that United States District Judge James L. Robart immediately
10 approve this Report and Recommendation and order the case REVERSED and REMANDED
11 for further administrative proceedings pursuant to sentence four of 42 U.S.C. § 405(g). A
12 proposed order accompanies this Report and Recommendation.

13 DATED this 22nd day of January, 2014.

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18 Mary Alice Theiler
19 Chief United States Magistrate Judge
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